

Construction Board of Appeals

Regular Meeting Minutes

Wednesday, April 12, 2017
3:00 PM, Conference Room A
City Hall, 539 Phoenix Street



1. **Call to Order** by Chair Morse at 3:00 p.m.

2. **Roll Call**

Present: Mark Dibble, Larry Heinig, Ed Morse
Absent: Robert Stickland

Also present: Andrzej Arkuszewski, Owner, 810 Black River Road.

3. **Approval of Agenda**

Motion by Dibble, second by Heinig to approve the Wednesday, April 12, 2017 Agenda as presented.

All in favor. Motion carried.

4. **Approval of Minutes** – October 26, 2016

Motion by Dibble, second by Heinig to approve the October 26, 2016 Regular Meeting Minutes as written.

All in favor. Motion carried.

5. **Public Comment**

None at this time.

6. **NEW BUSINESS**

810 Black River Road – demolition order

Anderson reviewed the background of this item, noting that the building official posted the structure as a dangerous building; Anderson sent a certified letter to property owner. The letter stated there would be a meeting with the hearing officer on February 22, 2017. At that time the hearing officer ruled that the house either be demolished or a building

permit obtained and submitted with plans within 30 days. Nothing was heard until today when an email was received from the owner's friend, Dana Becker, stating that the owner wanted to fix the house. Since the owner had missed all deadlines the Construction Board of Appeals meeting was called.

Anderson reviewed the options the board has: 1.) order the house repaired or 2.) order it demolished within 21 days which brings you to May 4, 2017.

Morse asked the homeowner if he understands.

Ankuszewski said he didn't understand totally. That the problem is he had talked to someone from the city in the past and asked if the board would give him time he will fix it up. The first time he put new windows and siding on the house.

Heinig asked what Ankuszewski has done since February.

Arkuszewski stated he is not living in his house every day; goes to his friends. Stated a paper came to him and mailman put in mailbox, he didn't know it was important and took it but didn't open it; now he opens everything.

Heinig asked when Arkuszewski in put new windows and siding to which Arkuszewski said it was a few years ago.

Morse noted that it looks like there is a lot of damage to the structure; the foundation is failing; there are structural problems. Arkuszewski asked if he can put in a new foundation. Heinig said, "It can be done, but can you do it in a reasonable length of time?" Arkuszewski asked if he can use same contractor as Trowbridge. Discussion ensued regarding the fact that Arkuszewski does not know, nor do the board members, who did the work for Trowbridge.

Dibble noted this house has been in this condition for a long time. "The foundation was not done correctly the first time; that block was laid without mortar. You don't have a plan, a contractor. That's not enough for us to allow you to continue down this road."

Arkuszewski said he cannot come every day from Chicago. Dibble asked if he has a contractor and Arkuszewski said, "No, maybe in three days he would see this guy." Dibble noted, "You have known since February but you didn't come in with a contractor or a plan; it sounds like there is nothing in place to repair it."

Rogien asked what it would cost to replace the foundation. Dibble said at least \$20,000. Discussion ensued about lifting the structure, putting in a crawl space, lowering the structure. Anderson noted that there were many interior issues, too, and for the members to also look at the overall cost and the time it would take.

Dibble asked Arkuszewski what he thinks he'll spend to finish the foundation, decks and interior. Arkuszewski guesed maybe \$30,000 to which Dibble responded, "Maybe if you did it yourself but you're not hiring a contractor for \$30,000." Rogien noted that updating the plumbing, heating and electrical could burn up another \$20,000.

Arkuszewski thinks \$30,000 for the outside would be okay. "Inside is a different idea. Kitchen could be \$80,000 or \$3,000. Dibble observed, "You don't need an \$80,000 kitchen in there."

Dibble pointed out that the issue is the time when nothing has happened. "You put the siding and windows in because you were cited back then. Since then nothing else has been done; everything else is coming unraveled."

Morse concluded, "It's been thru the process; it's in really rough shape; financially it doesn't make sense to rehab it. My opinion is it's time for demolition."

Anderson agreed, "That's a sound decision." After a question about whether Arkuszewski understood the process, Levin noted that the owner's friend, Dana, speaks Polish and explained it all to him.

Dibble asked about taxes and Anderson showed a printout from the Van Buren County tax search indicating that Arkuszewski is approximately \$16,000 in arrears.

Dibble asked Arkuszewski why he had not paid the taxes. Arkuszewski said he thinks they are due the end of March. Looking at the printout, Dibble stated, "You last paid the taxes in 2013; it's 2017 now." Arkuszewski said he goes to Paw Paw. "They talk to me."

Dibble asked what the State Equalized Value is and Anderson provided the summary sheet prepared by the city deputy assessor. Property stands at \$103,000 and the structure at \$12,900. Dibble observed that the property is worth a lot more without the house on it.

Arkuszewski asked for two to three months' time to which Morse responded, "You had from the February meeting until now and you have no plan. We will move forward with demolition." Morse explained that the homeowner can choose to demolish it himself or the city will do it and assess the property for the demolition. Heinig nodded in agreement. Dibble noted, "You have a valuable piece of property on the river, but the condition it's in is not right for the neighbors to have to live with that. You've been already cited once, and . . . Morse interjected, "There was a meeting in February and you haven't done anything."

Arkuszewski said he is 71 and he is retired and looking for living here. Dibble said he understands but nothing was done. Arkuszewski asked again, "How much time will you give me?"

After a brief discussion, Heinig made a motion to move to demolition no later than May 4, 2017. Second by Dibble.

All in favor. Motion carried.

Anderson explained that the owner will get a copy of the minutes, telling you that you must demolish the property by May 4, but you can choose to do it yourself. If you do it yourself, you must pull a permit, or the city will go in and demolish it and assess the charges.

7. Adjourn

Motion by Dibble, second by Heinig to adjourn at 3:35 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary